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| APPLICATION NO.   | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|---|-------------|----------------------|---------------------|------------------|
| 09/942,289  | 08/30/2001  | Chien-Chung Huang    | TS00-096            | 6633             |
| 28112   | 7590        | 01/23/2004           | EXAMINER            |                  |
| GEORGE O. SAILE & ASSOCIATES<br>28 DAVIS AVENUE<br>POUGHKEEPSIE, NY 12603 |             |                      | MASINICK, MICHAEL D |                  |
|   |             |                      | ART UNIT            | PAPER NUMBER     |
|   |             |                      | 2125                | 11               |
| DATE MAILED: 01/23/2004   |             |                      |                     |                  |

Please find below and/or attached an Office communication concerning this application or proceeding.

| <b>Office Action Summary</b> | <b>Application No.</b> | <b>Applicant(s)</b> |  |
|------------------------------|------------------------|---------------------|--|
|                              | 09/942,289             | HUANG ET AL.        |  |
|                              | <b>Examiner</b>        | <b>Art Unit</b>     |  |
|                              | Michael D Masinick     | 2125                |  |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### **Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

1)  Responsive to communication(s) filed on 05 January 2004.

2a)  This action is **FINAL**.                            2b)  This action is non-final.

3)  Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

4)  Claim(s) 21,23-27 and 29-32 is/are pending in the application.  
4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.

5)  Claim(s) \_\_\_\_\_ is/are allowed.

6)  Claim(s) 21,23-27 and 29-32 is/are rejected.

7)  Claim(s) \_\_\_\_\_ is/are objected to.

8)  Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

9)  The specification is objected to by the Examiner.

10)  The drawing(s) filed on \_\_\_\_\_ is/are: a)  accepted or b)  objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)  The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. §§ 119 and 120**

12)  Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a)  All b)  Some \* c)  None of:  
1.  Certified copies of the priority documents have been received.  
2.  Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3.  Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
\* See the attached detailed Office action for a list of the certified copies not received.

13)  Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.  
a)  The translation of the foreign language provisional application has been received.

14)  Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

**Attachment(s)**

1)  Notice of References Cited (PTO-892) 4)  Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_  
2)  Notice of Draftsperson's Patent Drawing Review (PTO-948) 5)  Notice of Informal Patent Application (PTO-152)  
3)  Information Disclosure Statement(s) (PTO-1449) Paper No(s) 6)  Other: \_\_\_\_\_

## **DETAILED ACTION**

This action is in response to RCE dated Jan 5, 2004. Ammendment dated November 12<sup>th</sup> has been entered.

Previous rejections are moot as claims have been amended to include new subject matter.

Claims 22 and 28 have been cancelled.

### ***Claim Rejections - 35 USC § 103***

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.
2. Claims 21, 24-27, 30-32 are rejected under 35 U.S.C. 103(a) as being unpatentable over US Patent No. 6,263,25 to Tan et al in view of U.S. Patent No.3,585,601 to Lahrson et al.
  1. With reference to claims 21 and 27, Tan shows a computer system for supervision and operation of a semiconductor facility, said system comprising: a plurality of processing tools (Col 3, lines 29-33); a MES system to control said processing tools and to track manufacturing data (Col 2, lines 64-66); a plurality of user set-up functions to selectively transfer user data from a plurality of users to said MES system and to selectively transfer said manufacturing data from said MES system to said users (Figure 6); and a user interface function to translate said manufacturing data prior to said transfer to said users and to translate said user data from said users prior to said transfer to said MES system (CORBA – Col 11, lines 17-37); and monitoring said processing tool through said computer system (Examiner notes that this is the main purpose

of a MES). This has all been shown in previous office action and is unchanged from previous 102 rejection.

2. Tan does not show wherein the user interface function is further capable of detecting faulty entries in the user data. Tan shows the ability to find errors in the machine documents and reports, but does not specifically mention the ability to detect errors in the input from the user interface.

3. Lahrsen shows a remote user data input system where user data is tested to make sure it is in the correct format and search for other errors. This is clearly shown in claims 84 and specifically claim 87 of Lahrsen.

4. It would have been obvious to one of ordinary skill in the art at the time the invention was made to use the user error detection system of Lahrsen to check the user input data of Tan because detecting user data prevents the machine from unnecessary processes done with faulty data and can alert the operator to problems immediately rather than after a faulty product has been made.

5. Referring to claims 24 and 30, Tan shows wherein said user set-up function is capable of selecting a specific processing tool. Examiner notes that this is an inherent function of any manufacturing execution system.

6. Referring to claims 25 and 31, Tan shows where in the user set-up function is capable of tracking an operational model of said selected processing tool. Examiner notes that this is an inherent function of any manufacturing execution system.

7. Referring to claims 26 and 32, Tan shows wherein said manufacturing data further comprises the results of statistical analysis of manufacturing data (Claim 18).

***Claim Rejections - 35 USC § 103***

8. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

9. Claims 23 and 29 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6,263,25 to Tan et al in view of U.S. Patent No. 3,585,601 to Lahrsen et al and further in view of U.S. Patent No. 5,423,716 to Strasbaugh.

10. Tan in view of Lahrsen does not specifically show the use of a numerically controlled tool as one of the users.

11. Numerically controlled tools are well known in the art of semiconductor manufacturing for polishing and many other finishing techniques.

12. Strasbaugh shows a numerically controller apparatus in use in a semiconductor processing facility for providing the wafer polishing step.

13. It would have been obvious to one of ordinary skill in the art at the time the invention was made to use the numerically controlled tool as a user in the system of Tan because Numerically controlled tools are well known to be used in semiconductor processing plants and commonly interface with other machinery.

***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael D Masnick whose telephone number is (703) 305-7738. The examiner can normally be reached on Mon-Fri, 7:30-4:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Leo Picard can be reached on (703) 308-0538. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

Mdm

  
LEO PICARD  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2100